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April 12, 2010

Honorable Sandra J. Feuerstein  
United States Eastern District  
100 Federal Plaza  
Central Islip, NY 11722-4438

**Re: Patricia Leffler v Gail Sheinkopf  
07 CIV 982 (SJF) (ETB)**

Dear Judge Feuerstein:

I am in receipt of a letter from Jeffrey Stark from Meyer, Suozzi, English & Klein's office, apparently objecting to my office's standing to bring a motion on my client's behalf.

I would respectfully point out the facts laid out in my motion papers.

There was a settlement reached in this action. The defendant in this case has failed to abide by the terms of that settlement and has filed lawsuits in Florida and New York State Court rather than go back into Federal Court pursuant to the terms of the settlement agreement.

I respectfully submit that your Honor has jurisdiction over these matters addressed in the State Court actions. The purpose of Ms. Leffler's motions is to bring these cases back into Federal Court where they started. The purpose of having one lawsuit instead of three is (1) to not waste judicial resources, (2) to assure there won't be inconsistent results from different forums and (3) to cut down on litigation costs for the parties.

At this point, my client is paying attorneys in Florida and New York to assist in her defense. I respectfully submit that not entertaining my motion will only serve to delay the proceedings and cause additional litigation costs and waste judicial resources.

There are a number of different ways the Court can interpret the Local Rule Mr. Stark alludes to in his letter. Both my office and Edward Angell Palmer & Dodge represent the plaintiff. However, Edwards Angell Palmer & Dodge's motion only pertains to the Florida property. My motion addressed the property in Westhampton, New York. The Court can deem my office as co-counsel or of counsel to Edwards Angell Palmer & Dodge, LLP.

The most important aspect of these motions is to stem the tide of lawsuits all across the country against my client. If the Court should reject my motion without even considering it, then the state court judge may once again have no legal basis to dismiss the state court action. (As I

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mentioned in my motion papers to this Court, Exhibit "K", the State Court denied my motion to dismiss the state court action under CPLR§3211(a)(4) because this Federal action was marked "dismissed" on August 27, 2007.)

Therefore, if this Court does not entertain my motion to reopen this action, the State Court could conceivably deny my motion to renew the dismissal motion under CPLR§3211(a)(4).

This will not serve justice because my client will be forced to litigate matters that were already negotiated as part of settlement in this case before your Honor.

Very truly yours,

  
Fredric R. Grae  
FRG/dc

cc: Meyer, Suozzi, English & Klein, P.C.  
Edwards Angell Palmer & Dodge, LLP